## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED APR 2 7 2009

KENNETH EDWARD BARBOUR,	)
Plaintiff,	Civil Action No.7:09-cv-00136
v.	) ) <u>ORDER</u>
VIRGINIA DEPARTMENT OF	)
CORRECTIONS, et al.,	By: Hon. James C. Turk
Defendants.	Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

## **ORDERED**

that plaintiff's request to proceed in forma pauperis without prepayment of the filing fee is **DENIED**; the action is **STAYED**; and if plaintiff does not prepay the \$350.00 filing fee for this action within ten (10) business days from the date of this order, the action will be **DISMISSED** without prejudice, pursuant to 28 U.S.C. § 1915(g).

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the plaintiff.

ENTER: This 27th day of April, 2009.

Senior United States District Judge